

REMARKS

In response to the Official Action of October 4, 2004, claim 27 has been slightly amended and the Abstract of the Disclosure is now presented on a separate sheet in compliance with MPEP §608.01(b). It should be noted that the original Abstract was presented in a preliminary amendment filed with the application and, as noted at page 7 thereof, it specifically states that after claim page 23, a new page is to be added containing the Abstract as recited on page 7 of the preliminary amendment. Therefore, it is respectfully submitted that the Abstract was already presented as a new page. Nevertheless, an Abstract corresponding to that submitted at page 7 of the preliminary amendment is presented herewith.

Referring now to paragraphs 4 and 5 of the Official Action, it is respectfully submitted that claims 1, 2, 5, 6 and 9-28 are not anticipated or suggested by US patent 6,542,743, Soliman. The Examiner states that with regard to claims 1, 5, 6 and 9-28 that Soliman discloses a communication system for relocating a protocol termination point comprising defining a protocol initialization unit containing predefined information of a first termination point of a first protocol by the first protocol (referencing the Abstract, Figure 1, Figure 3 and element 100 and its accompanying description in Soliman), transferring the protocol initialization unit from the first terminal point (assumed to mean “first termination point”) to a second terminal point (assumed to mean “second termination point”) by a second protocol (referencing the Abstract, Figure 3, elements 100 and 101¹ and accompanying description in Soliman), and initialization based on the protocol initialization unit (referencing the Abstract, Figures 2 and 3, elements 100, 101, 300 and columns 5-7 of Soliman).

Applicant’s attorney respectfully disagrees with the proposition that Soliman discloses such a communication system for relocating a protocol termination point as recited in claim 1. In

¹ Element 101 referred to by the Examiner at paragraph 5 of the Official Action is not found in Soliman in either the description or the Figures.

particular, Soliman is directed to a method and apparatus for conducting a pilot signal search in a wireless communications network. In such a search, the search window size is determined from the location of the mobile station. As described in Soliman, the mobile station uses the search window size and other search parameter information transmitted to it in order to minimize the search time required for searching all pilot signals associated with a selected pilot set which have been determined from the location of the mobile station. As noted in Soliman at column 2, lines 11-17, the term "pilot" refers to a pilot channel identified by a pilot sequence offset and a frequency assignment. A pilot is associated with forward link traffic channels in the same forward link CDMA channel, or similarly with the reverse link on systems using reverse link pilots. As noted at column 2, lines 17-19 of Soliman, all pilots in a pilot set have the same CDMA frequency assignment.

The purpose for the mobile searching for pilots on the current CDMA frequency assignment is to detect the presence of CDMA channels and to measure their signal strength and ultimately for allowing the mobile to be assigned a forward link traffic channel associated with the pilot having a sufficient strength that is not associated with any of the forward link traffic channels already assigned to the mobile station; thereby allowing the mobile to perform a hand-off (see Soliman column 2, lines 19-28). Thus, the disclosure in Soliman is directed to a method for conducting pilot signal search in a wireless communication system which includes determining the location of the mobile station within the wireless communication system and determining a plurality of search window sizes corresponding to a plurality of pilot signals based on the location of the mobile station with respect to a corresponding location of transmitting sources of the plurality of pilot signals. There is no disclosure or suggestion in Soliman directed to the relocation in a communication system of a protocol termination point. In particular, there is no disclosure or suggestion of defining a protocol initialization unit that contains predefined information of a first termination point of a first protocol by the first protocol as well as transferring the protocol initialization unit from the first termination point to a second

termination point by a second protocol and initialization of the second termination point based on the protocol initialization unit.

As set forth in the application as filed at page 10, line 23 through page 11, line 3, the protocol termination point is illustrated in Figure 3 and as shown and described the exemplifying protocol termination may comprise a radio resource control (RRC) protocol as well as other protocols such as medium access control (MAC) protocol, radio link control (RLC) protocol and packet data conversions protocol (PDCP). It is therefore clear that a protocol termination point is not in any way a pilot signal associated with a designated pilot signal set as described in Soliman including the above-referenced column 2, lines 11-28. The present invention is directed to relocating a protocol termination point by a procedure as set forth in claim 1 which includes defining the protocol initialization unit which contains predefined information of a first termination point of a first protocol by the first protocol and the transferring of that protocol initialization unit from the first termination point to a second termination point by a second protocol and the initializing of that second termination point based on the protocol initialization unit. The protocol initialization unit of the present invention contains predefined information of a first termination point and is shown in the flow chart of Figure 4 with the accompanying description set forth at page 11, line 29 through page 13, line 6. Such transfer of a protocol initialization unit is unlike the method for conducting a pilot signal search as discussed in Soliman.

It is therefore respectfully submitted that claim 1 is neither anticipated nor suggested by Soliman. Since claim 1 is believed to be distinguished over Soliman, it is respectfully submitted that dependent claims 2, 5, 6 and 9-16 are distinguished over Soliman since they ultimately all depend from claim 1.

Similarly, independent communication system claim 17 is believed to be distinguished over Soliman since it defines a first protocol termination point; a second protocol termination point; control means for relocating a first protocol from the first protocol termination point to the second protocol termination point wherein the control means is arranged to form a protocol

initialization unit containing predefined information of the first protocol at the first protocol termination point; a communication path based on the second protocol between the first and second termination points for transferring the protocol initialization unit; and control means for initializing the second protocol termination point based on the protocol initialization unit, all of which substantially correspond to the steps of claim 1. Therefore dependent claims 18-22, which all depend from independent communication system claim 17, are also believed to be distinguished over Soliman.

Independent network element claim 23 which is defined for use in a communication network comprising a protocol termination point; a control means for relocating a first protocol from the protocol termination point to another protocol termination point; and an interface to the other protocol termination point based on the second protocol for transferring the protocol initialization unit from the first termination point by means of the second protocol, is believed to be distinguished over Soliman for the same reasons as set forth with regard to method claim 1. Since independent network element claim 23 is believed to be distinguished over Soliman, it is respectfully submitted that dependent claims 24-26, which depend from claim 23 are also distinguished over Soliman.

Finally, independent network element claim 27, as amended, is believed to be distinguished over Soliman for the same reasons as those presented above with respect to claims 1 and 23. A slight amendment to claim 27 has been made to add the article “an” prior to the word “interface” at line 4 thereof. Since claim 27 is believed to be distinguished over Soliman, dependent claim 28 is also believed to be distinguished over Soliman.

Referring now to paragraphs 6 and 7 of the Official Action, it is respectfully submitted that claims 3-4 and 7-8 are not suggested by Soliman further in view of US patent 6,201,969, Meier, since claims 3-4 and 7-8 all depend from claim 1 and, for reasons set forth above, claim 1 is believed to be distinguished over the prior art cited.

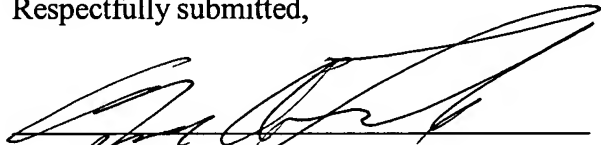
Furthermore, Meier is directed to control of handoff in CDMA cellular systems and in particular relates to an arrangement for efficiently providing an up-to-date neighbor list for base

stations serving a wireless cellular telecommunications call. Neither Meier nor Soliman relate to transferring a protocol initialization unit from a first termination point to a second termination point and initializing the second termination point based on the protocol initialization unit; and as such, do not in combination suggest claims 3, 4, 7 and 8. Furthermore, claims 3, 4, 7 and 8 add further limitations to the recited steps of claim 1, none of which are disclosed or suggested by Soliman, including the first termination point being located at a first network element of the communication system and the second termination point being located at a second network element of the communication system (claim 3); the second network element upon receiving the protocol information unit, generating and transmitting a response to the first network element by means of the second protocol (claim 4); the protocol initialization unit being transmitted by a third network element between the termination points (claim 7); and the transmission recited in claim 7 being based on a radio access network application part protocol (claim 8).

For all of the foregoing reasons, it is respectfully submitted that claims 3, 4, 7 and 8 are not suggested by Soliman further in view of Meier.

In view of the foregoing, it is respectfully submitted that the present application as amended is in condition for allowance and such action is earnestly solicited.

Respectfully submitted,



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